

## **State Disability Insurance (SDI) and Paid Family Leave (PFL) Rules**

If you have employees in the Blue Collar (01), FCEA (03), ATU (06), or IBEW (07) units and they go on an extended leave due to illness, injury, pregnancy, or bonding time for themselves or a family member make sure they are informed of their SDI/PFL benefits. Employees are not required to apply but the City is required to inform them that they can. Basically, if they are filling out FMLA paperwork, they should also fill out the SDI or PFL forms. Any employee that is going to be gone from work due to disability or a paid family leave reason for more than 8 days needs to be notified.

Please see the dialogue from 10/3/07 for information from the State on qualifying and using SDI and PFL.

For questions specific to pregnancy leave and bonding time please see the pregnancy leave document on the Payroll Website that discusses how SDI/PFL, FMLA/CFRA, PDL, and City rules all work together.

SDI: for employees unable to work due to pregnancy or non-work-related illness or injury and provides benefits for up to 52 weeks per disability (may be intermittent).

PFL: for employees who take time off work to care for a seriously ill child, spouse, parent, or registered domestic partner; or to bond with a new minor child and provides benefits for up to 6 weeks in any 12 month period (may be intermittent).

Both SDI and PFL have an 8 calendar day waiting period. This means that they must use any leave balances for the first 7 calendar days after their, or their family member's, disability.

Employee is injured on a Saturday: must use leave through the following Friday

Employee is injured on a Wednesday: must use leave through the following Tuesday

It is the employee's responsibility to inform their department that they are going on SDI/PFL. Once the employee informs their department, either verbally or in writing, that they will be on SDI/PFL and how they want their leaves used, the department should begin using the leave accordingly keeping the waiting period in mind. DO NOT wait for notification from the State. If the employee does not inform the department that they are going on SDI/PFL, the department should treat the employee as if they are not on SDI/PFL, using all available leaves. If the employee informs the department several weeks or months after going on SDI/PFL, the department will start posting their leave accordingly at the beginning of the current pay period. DO NOT go back and reverse any leave in prior pay periods under any circumstances.

While on SDI employees must use 13 hours of Sick or Supplemental Sick leave each week (must be posted on the employee's first 2 work days). Employee may also elect to use their Vacation, Holiday, or Comp time to make up the remaining 27 hours in the week. However, use of these leaves is subject to City policy and manager approval and, when combined with SDI benefits, will result in the employee receiving more than 100% of their pay. This may also result in the employee running out of leave while they are still disabled and will prevent the employee from being able to pay their furlough deduction and their portion of health insurance (depending on FMLA status employee may be placed on COBRA). The employee's payment obligations will be in arrears and will have to be paid back when they return to work.

Employees in units 03 and 06 may go on donated time (with approval) after all of their leave has been exhausted. They will be limited to 13 hours of donated time a week, posted at the beginning of their regular work week.

If the employee chooses not to utilize Leave time other than Sick Leave or has none, then the employee will be in a Leave Without Pay (LWOP) status. Please use L01\_S for both PFL and SDI, even if the employee is also on FMLA.